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Thomas D Franklin Townsend and Townsend and Crew LLP Two Embarcardero Center			EXAMINER	
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Please find below and/or attached an Office communication concerning this application or proceeding.

		Application No.	Applicant(s)			
Office Action Summary		09/664,147	RACIBORSKI ET AL.			
		Examiner	Art Unit			
		Kevin Parton	2153			
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHO THE N - Exten after S - If the - If NO - Failur - Any re	DRTENED STATUTORY PERIOD FOR RIMALLING DATE OF THIS COMMUNICATION Sions of time may be available under the provisions of 37 CF SIX (6) MONTHS from the mailing date of this communication period for reply specified above is less than thirty (30) days, period for reply is specified above, the maximum statutory period for reply within the set or extended period for reply will, by supply received by the Office later than three months after the did patent term adjustment. See 37 CFR 1.704(b).	ON. FR 1.136(a). In no event, however, may a on. a reply within the statutory minimum of th eriod will apply and will expire SIX (6) MC statute, cause the application to become A	reply be timely filed irty (30) days will be considered timely. NTHS from the mailing date of this communication. ABANDONED (35 U.S.C. § 133).			
1)⊠	Responsive to communication(s) filed on	27 June 2003 .				
,∠⊒ 2a)⊠	•	This action is non-final.				
3)						
Dispositi	on of Claims		·			
4) Claim(s) 1-21 is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5)[Claim(s) is/are allowed.					
6)⊠	6)⊠ Claim(s) <u>1-21</u> is/are rejected.					
7)	')☐ Claim(s) is/are objected to.					
•	Claim(s) are subject to restriction a	and/or election requirement.				
• •	on Papers					
•	The specification is objected to by the Exa		the Evenines			
10) 🔲 🗋	The drawing(s) filed on is/are: a)					
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). 11) The proposed drawing correction filed on is: a) approved b) disapproved by the Examiner.						
11)	If approved, corrected drawings are required		2.00pp.0700 2, and 2.000000			
12) The oath or declaration is objected to by the Examiner.						
Priority under 35 U.S.C. §§ 119 and 120						
13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).						
a) ☐ All b) ☐ Some * c) ☐ None of:						
-71	1. ☐ Certified copies of the priority docu	ments have been received.				
	2. Certified copies of the priority documents have been received in Application No					
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).						
* See the attached detailed Office action for a list of the certified copies not received.						
14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).						
 a) The translation of the foreign language provisional application has been received. 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121. 						
Attachment(s)						
2) 🔲 Notic	e of References Cited (PTO-892) te of Draftsperson's Patent Drawing Review (PTO-94 mation Disclosure Statement(s) (PTO-1449) Paper N	18) 5) Notice	w Summary (PTO-413) Paper No(s) of Informal Patent Application (PTO-152)			

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DETAILED ACTION

Response to Arguments

1. Applicant argues "In stark contrast...actually teaches away" (page 10, paragraphs 2-3). The argument is not persuasive because the Kangasharju et al. (1999) reference teaches the use of multiple content exchanges and the update of a central catalog. As claimed, content object portions are not specifically described and what is stored in the exchanges of the Kangasharju et al. (1999) reference can be referred to as content object portions. An example of this, a single web page can have an embedded object that is retrieved and cached. This embedded object may be included on different web page that is being retrieved. When this second web page (object) is retrieved, portions of it (embedded objects) could be available in a number of different network caches.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

- (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
- 3. Claims 1-4, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Kangasharju et al. (1999).
- 4. Regarding claim 1, Kangasharju et al. teach a system for reporting status information from a plurality of content exchanges to a remote system, the system comprising:

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a. A first content exchange comprising a first plurality of content object portions
 (abstract, lines 1-3; column 2, paragraph 3). Note that in the reference, cache servers are content exchanges.

- b. A second content exchange comprising a second plurality of content object portions (abstract, lines 1-3; page 2, column 2, paragraph 3). Note that in the reference, cache servers are content exchanges.
- c. A server at the remote location, wherein the server comprises a first subset of the first plurality of content object portions and a second subset of the second plurality of content object portions (page 5, column 2, paragraph 4).
- d. A first datalink that transports a first catalog of the first subset between the first content exchange and the server (page 5, column 2, paragraph 4; page 6, column 1, paragraph 1).
- e. A second datalink that transports a second catalog of the second subset between the second content exchange and the server (page 5, column 2, paragraph 4; page 6, column 1, paragraph 1).
- f. Wherein accessing a content object includes accessing a first content object portion from one of the first subset of the first plurality of content object portions and the second subset of the second plurality of content object portions, and a second content object portion from one of the first plurality of content objects and the second plurality of content objects (page 1, column 2, paragraph 1). Please note that as claimed, all content object portions may come from a single location.

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5. Regarding claim 2, Kangasharju et al. (1999) teach all the limitations as applied to claim

1. They further teach means wherein the first and second catalogs comprise a plurality of entries

(page 6, column 1, paragraph 2). Note that content updates can be sent in batches.

6. Regarding claim 3, Kangasharju et al. (1999) teach all the limitations as applied to claim

2. They further teach means wherein at least one of the plurality of entries comprises a content

object filename, a path, and a server name (page 6, column 1, paragraph 2). Note that web page

information is stored, this necessarily includes a server name, path, and filename for each object

cached.

7. Regarding claim 4, Kangasharju et al. (1999) teach all the limitations as applied to claim

1. They further teach means wherein at least one of the first and second datalinks transport over

the Internet (page 6, column 1, paragraph 2).

8. Regarding claim 6, Kangasharju et al. (1999) teach all the limitations as applied to claim

1. They further teach means wherein the first datalink transports status information relating to

the first content exchange (abstract; page 2, column 1, paragraph 3).

9. Regarding claim 7, Kangasharju et al. (1999) teach all the limitations as applied to claim

1. They further teach means wherein at least one of the first and second content exchanges

checks an operational status of the server (page 2, column 1, paragraph 1).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

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11. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kangasharju et al. (1999) in view of Chase et al. (EP 0 877 326 A2).

12. Regarding claim 5, although the system disclosed by Kangasharju et al. (1999) (as applied to claim 1) shows substantial features of the claimed invention, it fails to disclose means wherein the first subset of the first plurality of content object portions is purged from the first content exchange when the server becomes unavailable.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data wherein the first subset of the first plurality of content object portions is purged from the first content exchange when the server becomes unavailable (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) by employing the purging of cache information when the origin server is no longer available. This benefits the system by causing users to realize the origin server is no longer in operation and that they are no longer able to view the information that was cached. Note that this would be a consequence of sending updates to the origin server of what was being saved.

13. Claims 8, 10, 14, 15, 17, 18, and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kangasharju et al. (1999) in view of Hunt (USPN 6,192,398).

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14. Regarding claim 8, Kangasharju et al. (1999) teach a system for reporting information to remote locations in a content distribution system with means for:

- a. Determining a first catalog of a first plurality of content object portions associated with a first server at a first remote location (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).
- b. Determining a second catalog of a second plurality of content object portions associated with a second server at a second remote location (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).
- c. Transporting the first catalog to the first remote location (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).
- d. Transporting the second catalog to the second remote location (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).
- e. Detecting changes to one of the first and second catalogs (page 6, column 1, paragraph 2).
- f. Transporting the changes to one of the first and second remote locations (page6, column 1, paragraph 2).

Although the system disclosed by Kangasharju et al. (1999) shows substantial features of the claimed invention, it fails to disclose means wherein accessing a content object includes accessing a first content object portion from the first plurality of content objects associated with the first server, and accessing a second content object portion from the second plurality of content objects.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Hunt.

In an analogous art, Hunt discloses a system for distributed caching wherein content object portions are stored separately and wherein accessing a content object includes accessing a first content object portion from the first plurality of content objects associated with the first server, and accessing a second content object portion from the second plurality of content objects (figure 4; column 5, line 66 – column 6, line 8). Note that the object is a web site, and the pages are cached separately.

Given the teaching of Hunt, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) by employing the retrieval of objects in portions from different content exchanges. This benefits the system by allowing a full object to be stored and available from a cache without having to move all parts of the object to a single cache thus saving time and storage capacity.

- 15. Regarding claim 10, Kangasharju et al. (1999) teach all the limitations as applied to claim
- 8. They further teach means for reporting t the first and second servers status information at a predetermined interval (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2). Note that the batch sending allows a cache to set an interval after which data will be sent.
- Regarding claim 14, Kangasharju et al. (1999) teach all the limitations as applied to claim

 8. They further teach means wherein the transporting comprises transporting via the Internet (page 6, column 1, paragraph 2).
- 17. Regarding claim 15, Kangasharju et al. (1999) teach a system for tracking information in a content distribution system with means for:

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a. Receiving a first content catalog of first content object portions from a first remote computer (page 5, column 2, paragraph 4; page 6, column 1, paragraph
2).

- Receiving a second content catalog of second content object portions from a second remote computer (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).
- c. Updating a content database with information from the first and second content catalogs (page 5, column 2, paragraph 4; page 6, column 1, paragraph
 2).
- d. Receiving a third content catalog from the first remote computer that is different from the first content catalog (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).
- e. Receiving a fourth content catalog from the second remote computer that is different from the second content catalog (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).
- f. Updating the content database with information from the third and fourth content catalogs (page 5, column 2, paragraph 4; page 6, column 1, paragraph
 - 2). Note that the nature of updating requires that when a new catalog comes in, it replaces the information that has changed from the previous catalog.

Although the system disclosed by Kangasharju et al. (1999) shows substantial features of the claimed invention, it fails to disclose means wherein accessing a content object includes

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accessing at least a first content object portion identified in the first content catalog and a second content object portion identified in the second content object catalog.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Hunt.

In an analogous art, Hunt discloses a system for distributed caching wherein content object portions are stored separately and wherein accessing a content object includes accessing at least a first content object portion identified in the first content catalog and a second content object portion identified in the second content object catalog (figure 4; column 5, line 66 – column 6, line 8). Note that the object is a web site, and the pages are cached separately.

Given the teaching of Hunt, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) by employing the retrieval of objects in portions from different content exchanges. This benefits the system by allowing a full object to be stored and available from a cache without having to move all parts of the object to a single cache thus saving time and storage capacity.

- 18. Regarding claim 17, Kangasharju et al. (1999) teach all the limitations as applied to claim
 15. They further teach means for receiving status information related to one of the first and
 second remote computers (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).
- Regarding claim 18, Kangasharju et al. (1999) teach all the limitations as applied to claim
 15. They further teach means for providing status information to the first and second computers
 (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2).
- 20. Regarding claim 21, Kangasharju et al. (1999) teach a system for cataloging content object portions dispersed across a plurality of content exchanges comprising:

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- a. A first content exchange comprising a first content object portion, wherein the first content object portion comprises a first subset of a content object
 (abstract, lines 1-3, page 2, column 2, paragraph 3).
- b. A second content exchange comprising a second content object portion,
 wherein the second content object portion comprises a second subset of the
 content object (abstract, lines 1-3, page 2, column 2, paragraph 3).
- c. A remote server, wherein the remote server is communicably coupled to a first datalink and a second datalink, wherein the first datalink transports a first catalog indicating the first content object portion between the first content exchange, and wherein the second datalink transports a second catalog indicating the second content object portion (page 5, column 2, paragraph 4; page 6, column 1, paragraph 1).

Although the system disclosed by Kangasharju et al. (1999) shows substantial features of the claimed invention, it fails to disclose means wherein accessing a content object includes accessing the first catalog and the second catalog, and requesting the first content object portion from the first content exchange, and the second content object portion from the second content exchange.

Nonetheless, these features are well known in the art and it would have been an obvious modification of the system disclosed by Kangasharju et al. (1999), as evidenced by Hunt.

In an analogous art, Hunt discloses a system for distributed caching wherein content object portions are stored separately and wherein accessing a content object includes accessing the first catalog and the second catalog, and requesting the first content object portion from the

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first content exchange, and the second content object portion from the second content exchange (figure 4; column 5, line 66 – column 6, line 8). Note that the object is a web site, and the pages are cached separately.

Given the teaching of Hunt, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) by employing the retrieval of objects in portions from different content exchanges. This benefits the system by allowing a full object to be stored and available from a cache without having to move all parts of the object to a single cache thus saving time and storage capacity

- 21. Claims 9, 11, 13, 16, 19, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kangasharju et al. (1999) and Hunt as applied to claims 8 and 15 above, and further in view of Chase et al. (EP 0 877 326 A2).
- Regarding claim 9, Kangasharju et al. (1999) and Hunt teach all the limitations as applied to claim 8. They further teach means for determining the first server is unavailable (page 5, column 2, paragraph 4; page 6, column 1, paragraph 2). Note that in the reference, the client would know the status of the server upon request.

Although the system disclosed by Kangasharju et al. (1999) and Hunt shows substantial features of the claimed invention, it fails to disclose means for purging the first plurality of content object portions in response to the determining the first server is unavailable.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999) and Hunt, as evidenced by Chase et al. (EP 0 877 326 A2).

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In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for purging the first plurality of content object portions in response to the determining the first server is unavailable (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) and Hunt by employing the purging of cache information when the origin server is no longer available. This benefits the system by causing users to realize the origin server is no longer in operation and that they are no longer able to view the information that was cached. Note that this would be a consequence of sending updates to the origin server of what was being saved.

23. Regarding claim 11, although the system disclosed by Kangasharju et al. (1999) and Hunt (as applied to claim 8) shows substantial features of the claimed invention, it fails to disclose means for reporting to the first and second servers an impending unavailability of a content exchange.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999) and Hunt, as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for reporting to the first and second servers an impending unavailability of a content exchange (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju

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et al. (1999) and Hunt by employing the notification of a soon to be unavailable machine. This benefits the system by allowing the server to avoid holding information on caches that may be corrupted or emptied when they became unavailable.

24. Regarding claim 13, although the system disclosed by Kangasharju et al. (1999) and Hunt (as applied to claim 8) shows substantial features of the claimed invention, it fails to disclose means for purging information from a content location database when a content exchange becomes unavailable.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999) and Hunt, as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for purging information from a content location database when a content exchange becomes unavailable (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) and Hunt by employing the purging of information relating to an unavailable host or intermediate cache. This benefits the system by allowing the server to avoid holding information on caches that may have been corrupted or emptied when they became unavailable.

Regarding claim 16, although the system disclosed by Kangasharju et al. (1999) and Hunt (as applied to claim 15) shows substantial features of the claimed invention, it fails to disclose means for updating the content database when one of the first and second remote computers is unavailable.

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Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999) and Hunt, as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for updating the content database when one of the first and second remote computers is unavailable (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) and Hunt by employing the updating of information relating to an unavailable host or intermediate cache. This benefits the system by allowing the server to avoid holding information on caches that may have been corrupted or emptied when they became unavailable.

Regarding claim 19, although the system disclosed by Kangasharju et al. (1999) and Hunt (as applied to claim 15) shows substantial features of the claimed invention, it fails to disclose means for notifying the first and second computers of impending unavailability.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999) and Hunt, as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for notifying the first and second computers of impending unavailability (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju

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et al. (1999) and Hunt by informing intermediate caches of an unavailable server. This benefits the system by allowing the computers to no longer hold cached information from an unavailable server that may be in update or not coming back online.

27. Regarding claim 20, although the system disclosed by Kangasharju et al. (1999) and Hunt (as applied to claim 15) shows substantial features of the claimed invention, it fails to disclose means for receiving notification from one of the first and second computers of impending unavailability.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999) and Hunt, as evidenced by Chase et al. (EP 0 877 326 A2).

In an analogous art, Chase et al. (EP 0 877 326 A2) disclose a system for distributed caching of web accessible data with means for receiving notification from one of the first and second computers of impending unavailability (figure 4, element 400).

Given the teaching of Chase et al. (EP 0 877 326 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) and Hunt by informing the server of unavailable intermediate caches. This benefits the system by allowing the server to avoid holding information on caches that may have been corrupted or emptied when they became unavailable.

28. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kangasharju et al. (1999) and Hunt (as applied to claim 8) and further in view of Tsirigotis et al. (EP 0 847 020 A2).

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29. Regarding claim 12, although the system disclosed by Kangasharju et al. (1999) and Hunt (as applied to claim 8) shows substantial features of the claimed invention, it fails to disclose means for:

- a. Receiving a preload command.
- b. Preloading at least one content object portion from a remote server in response to receiving the preload command.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Kangasharju et al. (1999) and Hunt, as evidenced by Tsirigotis et al. (EP 0 847 020 A2).

In an analogous art, Tsirigotis et al. (EP 0 847 020 A2) discloses a system for distributed caching with means for:

- a. Receiving a preload command (column 2, lines 30-32).
- b. Preloading at least one content object portion from a remote server in response to receiving the preload command (column 2, lines 21-36).

Given the teaching of Tsirigotis et al. (EP 0 847 020 A2), a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Kangasharju et al. (1999) and Hunt by employing the preloading of content. This benefits the system by allowing users to have faster access to information that they are most likely to request.

Conclusion

30. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kevin Parton whose telephone number is (703)306-0543. The

examiner can normally be reached on M-F 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor. Glenton Burgess can be reached on (703)305-4792. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703)305-3900.

Kevin Parton

Examiner

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ksp

- SEENTUM B. BURGESS

Supérvisory patent examiner

TECHNOLOGY CENTER 2100

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